

ADOT JPA File No.: 05-016  
**Amendment No. 1**  
AG Contract No.: KR05-0308TRN  
Project No.: STP-SAF-0 (003) A  
Project: Intersection Improvement  
Section: 20<sup>th</sup> Avenue & 8<sup>th</sup> Street  
TRACS No.: SH286 01C  
Budget Source Item No.: N/A

**AMENDMENT NO. 1  
TO  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF SAFFORD

**THIS AGREEMENT** is entered into this date November 18, 2005, **Amendment No. 1** to JPA No. 05-016, A.G. Contract No.: KR05-0308TRN, filed with the Secretary of State under No. 27531, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF SAFFORD, acting by and through its MAYOR and CITY COUNCIL (the "City").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes § 28-401 and 28-334 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The City is empowered by City of Safford Municipal Code §2.08.010 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.

**THEREFORE**, in consideration of the mutual Agreements expressed herein, this Agreement has been amended.

**Article I, paragraph 7 is revised in full as follows:**

7. The work embraced in this Agreement consists of roadway reconstruction at the intersection of 20<sup>th</sup> Avenue and 8<sup>th</sup> Street. The estimated costs are as follows:

**TRACS No. SH286 01C**

Federal Aid Funds @ \$900,000.00	\$ 900,000.00
Estimated City Funds	<u>\$ 308,554.00</u>
*Total Estimated Cost of the Project	\$1,208,554.00

\*(Includes 15% CE and project contingencies)

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NO. 27531  
Filed with the Secretary of State  
Date Filed: 11-18-05  
Janice K. Brewer  
Secretary of State  
By: [Signature]

**EXCEPT AS AMENDED** herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

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**IN WITNESS WHEREOF**, the parties have executed this Amended Agreement the day and year first above written.

**CITY OF SAFFORD**

By   
\_\_\_\_\_  
RONALD M. GREEN  
Mayor

**STATE OF ARIZONA**

Department of Transportation

By   
\_\_\_\_\_  
SUSAN TELLEZ  
 Contract Administrator

ATTEST:

By   
\_\_\_\_\_  
~~SHARON FRENCH~~ Georgia Luster  
Clerk

G:05-016-Safford-Amend 1-20<sup>th</sup> Avenue-DRAFT-13September2005-slc

APPROVAL OF THE CITY OF SAFFORD ATTORNEY

I have reviewed the above referenced intergovernmental agreement between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the CITY OF SAFFORD, an agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this agreement to be in proper form and within the powers and authority granted to the CITY under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 25<sup>th</sup> day of Oct, 2005.

  
\_\_\_\_\_  
City Attorney

RESOLUTION NO. 05-065

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, FOR THE IMPROVEMENT OF 20<sup>TH</sup> AVE AND 8<sup>TH</sup> STREET INCLUDING PAVING, CURBING, AND A TRAFFIC SIGNAL IN SAFFORD AND THATCHER, ARIZONA.

**WHEREAS**, The City of Safford desires to provide street widening, curbing, a traffic signal, and other improvements for the safety and benefit of the residents of Safford for the 20<sup>th</sup> Ave and 8<sup>th</sup> Street intersection; and

**WHEREAS**, The City of Safford and the Town of Thatcher have previously executed an intergovernmental agreement to complete improvements cooperatively together for 20<sup>th</sup> Ave and 8<sup>th</sup> Street and to provide funding for the improvements; and

**WHEREAS**, The Arizona Department of Transportation has agreed to seek funding from the Federal Highway Administration (FHWA) for the project in the amount of \$900,000; and

**WHEREAS**, The Arizona Department of Transportation has agreed to act as the agent for the City of Safford to perform certain work and to administer the project as outlined in the contract identified as Amendment One to AG Contract No: KR05-0308TRN, for Project No: STP-SAF-0(003)A; and

**WHEREAS**, The City of Safford agrees to enter into Amendment One to AG Contract No: KR05-0308TRN to complete the improvements outlined in the agreement;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Safford, Arizona, that the Mayor is authorized to enter into an intergovernmental agreement with the State of Arizona, Department of transportation, identified as Amendment One to AG Contract No. KR05-0308TRN.

**PASSED, ADOPTED, AND APPROVED** by the Mayor and City Council of the

City of Safford this 24<sup>th</sup> day of October 2005.  
The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attest: Georgia Luster  
Georgia Luster, City Clerk, City of Safford, Graham County, State of Arizona.

11/1/05  
Date ATTEST:

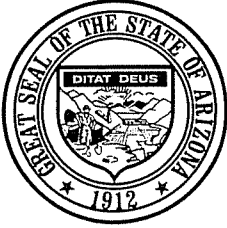
Georgia Luster  
Georgia Luster, CMC  
City Clerk

APPROVED:

Ronald M. Green  
Ronald M. Green, Mayor

APPROVED AS TO FORM:

Garnet K. Emery  
Garnet K. Emery  
City Attorney



STATE OF ARIZONA  
OFFICE OF THE ATTORNEY GENERAL  
CIVIL DIVISION  
TRANSPORTATION SECTION  
MEMORANDUM

Jeffrey T. Murray  
Assistant Attorney General

Direct: 602-542-8859  
Fax: 602-542-3646


**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR05-0308TRN (**JPA 05-016 Amendment No. 1**), an Agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED November 10<sup>th</sup>, 2005.

TERRY GODDARD  
Attorney General

  
JEFFREY T. MURRAY  
Assistant Attorney General

JTM:dgr  
Attachment  
934182